

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

PATTON ET AL.

vs.

INVACARE CORP., ET AL.

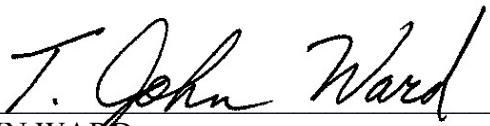
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CIVIL ACTION NO. 2:08-CV-240

**MEMORANDUM ORDER**

The above-titled and numbered civil action was heretofore referred to United States Magistrate Judge Chad Everingham pursuant to General Order 07-03. The report of the Magistrate Judge, which contains his proposed findings of fact and recommendations regarding the fairness of the proposed settlement, have been presented for consideration. The parties waived their objections to the report at their hearing, conducted on November 18, 2008. The court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and that in light of the evidence presented at the hearing on November 18, 2008, the court finds that the amount of settlement and its apportionment is fair, just, and reasonable, and in the best interest of the minor child, C.J. Brown. Therefore, the court hereby adopts the report of the United States Magistrate Judge as the findings and conclusions of this court.

SIGNED this 25th day of November, 2008.

  
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T. JOHN WARD  
UNITED STATES DISTRICT JUDGE